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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

		Application Number	10/705,668
		Filing Date	November 10, 2003
		First Named Inventor	Nelson et al.
		Group Art Unit	1725
		Examiner Name	
Total Number of Pages in This Submission (including this sheet)	4	Attorney Docket No.	1219.BYU.CN

**ENCLOSURES (check all that apply)**

<input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Extension of Time Request <input type="checkbox"/> month	<input type="checkbox"/> Maintenance Fee Transmittal <input type="checkbox"/> year
<input type="checkbox"/> Appeal Communication: <input type="checkbox"/> Appeal Notice <input type="checkbox"/> Appeal Brief <input type="checkbox"/> Reply Brief	<input type="checkbox"/> Fee Calculation Table	<input type="checkbox"/> Missing Parts Response
<input type="checkbox"/> Assignment with Cover Sheet	<input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Form 1449	<input type="checkbox"/> Notification of Change of Attorney Address & Docket Number
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Copies of IDS References	<input checked="" type="checkbox"/> Return Postcard
<input type="checkbox"/> Check in the amount of \$_____	<input type="checkbox"/> Issue Fee Transmittal & Advance Order	<input type="checkbox"/> Revocation & Power of Attorney
<input checked="" type="checkbox"/> Credit card authorization in the amount of \$ <u>1,230.00</u>		<input checked="" type="checkbox"/> Statement to Change Entity Status
<input type="checkbox"/> Declaration & Power of Attorney		<input type="checkbox"/> Other:
<input type="checkbox"/> Drawings ____ sheets <input type="checkbox"/> Formal <input type="checkbox"/> Informal	Remarks	

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT**

Attorney for Applicant	David W. O'Bryant, Registration No. 39,793 MORRISS O'BRYANT COMPAGNI, P.C. 136 South Main Street, Suite 700 Salt Lake City, Utah 84101 (801) 478-0071 telephone; (801) 478-0076 facsimile		
Signature		Date	4/28/04

**CERTIFICATE OF MAILING UNDER 37 CFR § 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, on the date indicated below, in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Typed or Printed Name	David W. O'Bryant		
Signature		Date	4/28/04



## PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Nelson et al.

SERIAL NO.: 10/705,668

FILING DATE: November 10, 2003

TITLE: FRICTION STIR WELDING OF METAL MATRIX COMPOSITES, FERROUS ALLOYS, NON-FERROUS ALLOYS, AND SUPERALLOYS USING A SUPERABRASIVE TOOL

ART UNIT: 1725

EXAMINER:

DOCKET NO.: 1219.BYU.CN

**CERTIFICATE OF MAILING  
UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, under 37 C.F.R. § 1.8 on the date indicated below and is addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Alexandria, VA 22313-1450.

David W. O'Bryant

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4/28/04  
Date of Deposit

## STATEMENT TO CHANGE ENTITY STATUS UNDER 37 CFR § 1.28(c)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicant respectfully requests that status of above-identified application be changed to non-small entity. The status as a small entity was established in good faith and fees as a small entity were paid in good faith without intent to deceive. Applicant later discovered that such status as small entity was established in error. Applicant encloses payment in the amount of \$1,230.00 to correct the deficiency between the fees paid (small entity) and the fees due (non-small entity). The amount of the deficiency is calculated below.

Description	Amount Paid for small entity	Amount Required for Non-small Entity	Amount Due
Continuation Patent Application Filing Fees	385.00	770.00	385.00
Claims in excess of twenty	$58 \times 9.00 = 522.00$	$58 \times 18.00 = 1,044.00$	522.00

05/04/2004 91:00:00 0009 10705668 25  
01 FC:1001  
02 FC:1201  
03 FC:1202  
04 FC:1051

Commissioner for Patents  
April 23, 2004  
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Independent Claims in excess of three	6 x 43.00=258.00	6 x 86.00=516.00	258.00
Late Oath or Declaration Surcharge	65.00	130.00	65.00
<b>TOTAL</b>			<b>\$1,230.00</b>

The Commissioner is hereby authorized to charge any deficiencies in fees or credit any overpayment in connection with this communication to Deposit Account No. 50-0881.

DATED this 28 day of April, 2004.

Respectfully submitted,



David W. O'Bryant  
Attorney for Applicant  
Registration No. 39,793  
MORRISS O'BRYANT COMPAGNI, P.C.  
136 South Main Street, Suite 700  
Salt Lake City, Utah 84101  
Telephone: (801) 478-0071  
Facsimile: (801) 478-0076